



CITY OF MORGAN HILL

**MORGAN HILL REDEVELOPMENT AGENCY
CITY COUNCIL**

COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

REDEVELOPMENT AGENCY

Dennis Kennedy, Chairperson
Greg Sellers, Vice-Chairperson
Hedy L. Chang, Agency Member
Cynthia J. Cook, Agency Member
Steve Tate, Agency Member

CITY COUNCIL

Dennis Kennedy, Mayor
Steve Tate, Mayor Pro Tempore
Hedy L. Chang, Council Member
Cynthia J. Cook, Council Member
Greg Sellers, Council Member

WEDNESDAY, AUGUST 23, 2000

JOINT AGENDA

**REDEVELOPMENT AGENCY REGULAR MEETING
and
ADJOURNED CITY COUNCIL MEETING**

7:00 P.M.

CALL TO ORDER
(Vice-Chair Sellers)

ROLL CALL ATTENDANCE
(Agency Deputy Secretary/Deputy City Clerk Corbet)

DECLARATION OF POSTING OF AGENDA
Per Government Code 54954.2
(Agency Deputy Secretary/Deputy City Clerk Corbet)

PRESENTATION
Town Cats
Cat Adoption Center

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.
(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**
(See notice attached to the end of this agenda.)

Redevelopment Agency Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time
Estimate

Page

Consent Calendar: 1 - 10 Minutes

1. **JULY 2000 FINANCE AND INVESTMENT REPORT** 1
Recommended Action: Accept and file report.

City Council Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #2 through #4 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time
Estimate

Page

Consent Calendar: 1 - 10 Minutes

2. **APPROVAL OF SUBDIVISION IMPROVEMENT AGREEMENT WITH MORGAN HILL DEVELOPMENT PARTNERS, L.P. - DIGITAL DRIVE APN 726-25-012, 021, 023 & 027** 11
Recommended Action: Approve the Subdivision Improvement Agreement and Authorize the City Manager to Sign the Agreement on Behalf of the City with Morgan Hill Development Partners, L.P., Digital Drive (APN 726-25-012, 021, 023 & 027)
3. **AB 939 PLANNING AND REPORTING** 21
Recommended Action: Direct Staff to Complete Additional Analyses and Bring Back a Status Report and Recommendations in November.
4. **JOINT DEVELOPMENT OF AN AQUATICS CENTER** 25
Recommended Action: Approve the Letter of Agreement Regarding Aquatics Facilities.

PUBLIC HEARINGS:

	Time Estimate		Page
5	30 minutes	<u>ZONING AMENDMENT APPLICATION ZA-98-11: AMENDMENTS TO PUD ORDINANCE AND ESTABLISHMENT OF STANDARDS FOR FIVE PUD DISTRICTS ON CONDOT ROAD AND E. DUNNE AVENUE</u> <u>Recommended Action:</u> Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion. Action - <u>Motion to Approve</u> Negative Declaration. Action- <u>Motion to Waive</u> the Reading in Full of Ordinance No. 1487, N.S. Amending Zoning Standards; <u>Motion to Introduce</u> Ordinance No. 1487, N.S. by Title Only. Action- <u>Motion to Waive</u> the Reading in Full of Ordinance No. 1488, N.S. Establishing Uses and Standards for PUD Areas; <u>Motion to Introduce</u> Ordinance No. 1488, N.S. by Title Only.	29

OTHER BUSINESS:

	Time Estimate		Page
6.	15 minutes	<u>AWARD OF CONTRACT FOR THE MORGAN HILL INTERIM SKATE PARK PAVING PROJECT AND REQUEST FOR BUDGET APPROPRIATION FOR SKATE ELEMENTS</u> <u>Recommended Action:</u> 1. <u>Award</u> Contract to Balch Petroleum Contractors & Builders, Inc. for the construction of the Skate Park Paving Projects in the Amount of \$60,595, 2. <u>Appropriate</u> \$70,000 from our Park Development Fund Balance to Purchase the Skating Elements for the Park, and 3. In Accordance with Section 3.04.150.A of the Municipal Code, the Competitive Bid Process for the Skate Elements Would Not Likely Result in a Lower Price to the City from a Responsible Bidder and Would Cause Unnecessary Expense or Delay. Therefore, Authorize the City Manager to Perform a Request for Proposal for the Proposed Skate Elements and Execute a Subsequent Agreement with the Successful Vendor in an Amount Not to Exceed \$70,000.	77

OPPORTUNITY FOR PUBLIC COMMENT

Redevelopment Agency/City Council Action

CLOSED SESSION:

**Time
Estimate**

10 minutes

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Legal Authority:	Government Code 54956.8 & 54956.9(c) (1 potential case)
Real Property(ies) involved:	APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Road; and APN 728-31-009 - 12.88 acres located on the southeast corner of Cochrane and Highway 101 (St. Louise Hospital property)
City Negotiators:	Agency Members; Executive Director; Interim Agency Counsel; and F. Gale Conner, special counsel
Closed Session Topic:	Potential Litigation

RECONVENE

CLOSED SESSION ANNOUNCEMENT

FUTURE AGENCY-INITIATED AGENDA ITEMS:

This is an Opportunity for Members of the Redevelopment Agency to Request Items for Future Agendas.
Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT